

**REMARKS**

Claims 1, 2 and 4-17 are pending in this application. By this Amendment, claims 1, 7-13, 16 and 17 are amended. No new matter is added. Reconsideration of the application is respectfully requested.

The Office Action rejects claims 1-5, 14 and 16<sup>1</sup> under 35 U.S.C. §103(a) over U.S. Patent No. 5,853,327 to Gilboa; rejects claim 6 under 35 U.S.C. §103(a) over Gilboa in view of U.S. Patent No. 4,302,011 to Pepper Jr.; rejects claims 7, 15 and 17 under 35 U.S.C. §103(a) over Gilboa in view of JP-A-2002-301264 to Toshiyuki et al. (hereinafter "Toshiyuki"); rejects claims 8-11 under 35 U.S.C. §103(a) over Gilboa in view of U.S. Patent No. 5,821,916 to Watson et al. (hereinafter "Watson"); and rejects claims 12-15 under 35 U.S.C. §103(a) over Gilboa in view of U.S. Patent No. 7,133,031 to Wang et al. (hereinafter "Wang"). The rejections are respectfully traversed.

Independent claims 1 and 7 are amended to incorporate partial features of dependent claims 8-13, respectively. Independent claims 16 and 17 are amended similarly.

Claims 1 and 16 recite, *inter alia*, a character control unit for controlling a display position of the character by disposing the character, imitating the figure of the formed object in the position of the correlating area correlating with the placed position of the formed object in the placement detectable area according to the character information selected by the selecting unit, and for controlling the character to perform an action according to a predetermined action pattern when the change detected by the change detecting unit satisfies a predetermined condition. Claims 7 and 17 recite, *inter alia*, a character control unit for controlling a display position of the character by disposing the character, printed on the printed matter in the position of the correlating area correlating with the placed position of the

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<sup>1</sup> Claim 3 was rejected even though it was previously cancelled.

printed matter in the placement detectable area according to the character information selected by the selecting unit, and for controlling the character to perform an action according to a predetermined action pattern when the change detected by the change detecting unit satisfies a predetermined condition.

In the rejection of claims 8 and 10, the Office Action admits that Gilboa fails to disclose a continuous movement of game indicia across the game tablet corresponding with continuous movement of the display screen. That is, Gilboa does not "control the display position" of the character as recited in claims 1, 7, 16 and 17.

The Office Action asserts that Watson discloses a digitizer tablet that comprises a stylus, which the user uses to write on the tablet display that directly corresponds with the movement of the cursor on a display that illustrates the handwriting of the user. However, Watson only displays a cursor moving in a speed directly corresponding with the speed of stylus. Watson does not disclose or suggest controlling the character to perform an action according to a predetermined action pattern when the change detected by the change detecting unit satisfies a predetermined condition. As recited in claims 1, 7, 16 and 17, the change detected by the change detecting unit contains is a change of the placed position and the direction obtained from the input system. As discussed in the specification at, for example, paragraph [0048], and as recited in claims 1, 7, 16 and 17, the direction is the direction that the formed object on the tablet is facing.

Applicants respectfully submit that, although Watson detects a position (grid) touched by a stylus, this position is only a point. Watson does not detect the direction of the stylus or a change in its direction on the tablet. More specifically, the stylus does not have a direction. Even if the stylus had a direction, when the stylus is turned by, for example, 90 degrees in a clockwise direction or in a counterclockwise direction, Watson would merely detect the touched position (grid) without the direction.

Accordingly, Gilboa and Watson, alone or in combination, teach or suggest the subject matter of claims 1, 7, 16 and 17. Accordingly, claims 1, 7, 16 and 17 are patentable over Gilboa and Watson.

Moreover, claims 1 and 16 also further recite, *inter alia*, a correlating area setting unit for setting discretionarily a size of a correlating area correlating with a placement detectable area on the tablet, and setting a position of the correlating area in a game space; and an image generating unit for generating an image of the game space including the whole correlating area so that the character is displayed regardless of the size of the correlating area and regardless of where in the placement detectable area a player places the formed object.

Claims 7 and 17 similarly further recite, *inter alia*, a correlating area setting unit for setting discretionarily a size of a correlating area correlating with a placement detectable area on the tablet, and setting a position of the correlating area in a game space; and an image generating unit for generating an image of the game space including the whole correlating area so that the character is displayed regardless of the size of the correlating area and regardless of where in the placement detectable area a player places the formed object.

As shown in Applicants' Figs. 4(a) and 4(b), for example, the detection area E on the input pad 40 and the fighting area E100 of the fighting screen W10 are correlated with each other, such that the entire area of the detection area E is shown in the fighting screen W10 as the fighting area E100. When the operational toy 20 is moved to a position on the detection area E, the operational-object character C100 moves to the position on the fighting area E100 that corresponds to the position on the detection area E. Therefore, the operational-object character C100 is displayed regardless of where in the placement detection area E a player places the operational toy 20. See paragraphs [0046], [0068] and [0069].

In the rejection of claims 1, 7, 16 and 17, the Office Action asserts that Figs. 2A-2E of Gilboa disclose this feature. Applicants respectfully disagree with this assertion.

As discussed at col. 7, lines 54-63 of Gilboa, Fig. 2A shows a fox 12 at the right side of the game board 14. When the fox 12 is placed, a video sequence is displayed on a display device showing him at home and interacting with the environment. As discussed at col. 7, line 64 - col. 8, line 4 of Gilboa, Fig. 2B shows a crow 16 positioned near a pond on the game board 14. When the crow 16 is placed, a vide sequence is displayed on the display device showing the crow 16 on the side of the pond and interacting with the environment. Similarly, Figs. 2C-2E show situations in which the fox 12 and crow 16 are placed at various positions on the game board, and video sequences are displayed on the display device to show the characters and their interactions with the environment.

In other words, Gilboa discloses a technique to merely detect a position of a character on the game board and retrieves a video sequence relating to the character at the detected position. That is, Gilboa merely shows the home when a character is located at a cave on the game board 14 (right side of the game board 14) and the side of the pond when the character is located near the pond (left lower corner of the game board 14). Gilboa, at most, merely associates the positions on the game board 14 with various video sequences. Gilboa does not disclose or suggest a correlation between the area of the game board and the area shown on the display device. Therefore, Gilboa does not teach or suggest setting discretionarily a size of a correlating area correlating with a placement detectable area on the tablet, and setting a position of the correlating area in a game space, as recited in claims 1, 7, 16 and 17.

The Office Action alleges that Gilboa discloses the character control unit at col. 9, lines 32-39, which relates to Fig. 7, and col. 9, lines 39-44, which relates to Figs. 8A and 8B. The Office Action also alleges that Fig. 2 of Gilboa shows this feature. Applicants respectfully disagree with these allegations.

As discussed above, Gilboa fails to disclose or suggest the correlating area correlating with a placement detectable area. In addition, Figs. 7, 8A and 8B do not show the characters

corresponding to the dolls 50 and 52 and dog 54. Therefore, Gilboa fails to disclose or suggest imitating the figure of the formed object in the position of the correlating area correlating with the placed position of the formed object in the placement detectable area.

In addition, as discussed above, Gilboa merely shows a video sequence corresponding to a position on the game board. The video sequence shows a "scene" associated with the position of the characters on the game board. The scene does not show the position of the character on the game board. Therefore, even if the positions of the dolls 50 and 52 and dog 54 change, the scene does not change. For example, in Fig. 8A, the doll 50 is at the left upper corner of the game board, and in Fig. 8B, the doll 50 is moved to the middle of the game board. However, the scene displayed on the display device does not change. In fact, as discussed above, the scene does not show any of the dolls 50 and 52 and dog 54. Therefore, Gilboa fails to teach or suggest controlling motion and movement of the character in the correlating area according to the change detected by the change detection unit.

The Office Action asserts that "if a system can display the correlating area at a particular location where the object is detected by the detectable area, it would have been obvious for one skilled in the art to try to display the entire correlating area independent of where the formed object is located as it is only a matter of expanding the total shown correlating area." Applicants respectfully disagree with this assertion.

First, as discussed above, Gilboa does not display the correlating area. Therefore, this assertion by the Office Action is irrelevant to Gilboa.

Next, in order to for one skilled in the art to "try" to display the entire correlating area, there must be desirability to do so based on the disclosure of Gilboa. Without such desirability, such "try" must be motivated based on impermissible hindsight gained from Applicants' disclosure.

As discussed above, Gilboa is directed to merely showing a video sequence of a scene related to the position of the character on the game board. Gilboa does not teach or suggest displaying, for example, a partial area of the map correlating with the map drawn on the game board. Therefore, there would be no desirability to show the entire correlating area as suggested by the Office Action. Thus, the Office Action is relying on impermissible hindsight gained from Applicants' disclosure to construct the alleged motivation.

At least for these reasons, Applicants respectfully submit that claims 1, 7, 16 and 17 are patentable over Gilboa and Watson.


Pepper Jr., Toshiyuki and Wang do not overcome the deficiencies of Gilboa and Watson with respect to claims 1 and 7. Therefore, claims 2, 4-6 and 8-15 are allowable at least for their dependence on allowable claim 1 and 7, respectively, as well as for the additional features they recite. Accordingly, withdrawal of the rejection is respectfully requested.

Accordingly, withdrawal of the rejections is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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WPB:KXH/hms

Attachment:

Request for Continued Examination

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